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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Atsushi Miyawaki et al.

**Confirmation No.: 5047**

Appl. No.: 10/581,551

Examiner: Alexander KIM

I. A. Filed: December 3, 2004

Group Art Unit: 1656

For: FLUORESCENT PROTEIN

**THIRD SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
U.S. Patent and Trademark Office  
Customer Service Window, Mail Stop Amendment  
Randolph Building  
401 Dulany Street  
Alexandria, VA 22314

Sir:

In accordance with the duty of disclosure under 37 CFR § 1.56 and §§ 1.97 – 1.98, Applicant(s) wish to bring the following information to the attention of the Examiner.

Applicant(s) wish to make of record the documents listed on the attached form PTO-1449. Copies of the listed documents are attached, where required, as are noted English translations, or partial translations of pertinent portions, and/or English language abstracts, of any non-English language references. Statements of relevancy, if necessary, appear below.

**COMMONLY ASSIGNED**

- ☐ Listed on the attached form PTO-1449 are certain of Applicant's commonly assigned pending application(s), published application(s) or issued patent(s). In accordance with 37 CFR §1.98(a)(2)(ii), copies of the cited U.S. pending applications, published applications and/or issued patents, are not provided.

**STATEMENT OF RELEVANCY**

- ☐ Documents \* \* have been cited in an International Search Report and/or Written Opinion, which indicates the relevancy thereof to the claims of the International Application. Copies of documents cited in the International Search Report should have been forwarded by the International Bureau and thus have not been provided.
- ☒ Documents 1-2 have been cited in an extended European Search Report issued with respect to counterpart application EP 09170616.8. WO 02/070703, WO 03/054191, and the Labas et al. document, also cited in the extended European Search Report, were previously provided and listed in an Information Disclosure Statement. Accordingly, copies of Documents 1-2 are being submitted herewith.

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- ☐ Documents \* \* are cited in the Specification of the present application. Any necessary copy is being submitted herewith.
- ☐ Documents \* \* have been cited in the parent application(s) either by the Applicant(s) or by the examiner. Copies of these documents should be available in the parent application(s) and thus have not been provided herewith.
- ☐ Documents \* \* are related as patent family members.
- ☐ Documents \* \* were cited in related U.S. Patent Application No. \_\_\_\_\_.
- ☐ Documents \* \* were cited by a third party.
- ☐ Documents \* \* were previously cited in an earlier filed Information Disclosure Statement in the present application.
- ☐ Miscellaneous.

#### CERTIFICATION

- ☒ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement. This certification does not apply to any document previously cited in the present application.
- ☐ Moreover, this communication was not received by any individual designated in §1.56 (c) more than thirty days prior to the filing of the Information Disclosure Statement.

#### FEES

- ☐ A payment in the amount required under 37 CFR §1.17(p) is provided herewith.

#### DEPOSIT ACCOUNT

- ☒ In the event that any additional fees are due with respect to this paper, the Commissioner is hereby authorized to charge such fees to Deposit Account No. 19-0089 of the undersigned.

If there should be any questions, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,  
Atsushi Miyawaki et al.



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August 6, 2010  
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